

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JUAN BOTEQ, Individually and as )  
Guardian for BB, )  
AURA GONZALEZ, Individually and as )  
Guardian for BB, )  
Plaintiffs )

vs. )

NO. 13-cv-10224GAO

MOUNT AUBURN HOSPITAL, and )  
NANDITA NADIG, M.D. )  
Defendants )

**DEFENDANT, NANDITA NADIG, M.D.'S MOTION TO DISMISS PLAINTIFFS' CLAIMS,**  
**AND,**  
**MOTION FOR ENTRY OF SEPARATE AND FINAL JUDGMENT PURSUANT TO RULE 54(b) OF THE**  
**FEDERAL RULES OF CIVIL PROCEDURE**

NOW COMES the Defendant, Nandita Nadig, M.D., and hereby moves this Honorable Court to dismiss the Plaintiffs' claims against her pursuant to Fed.R.Civ.P. 41(b), with prejudice, and for the entry of separate and final judgment in her favor pursuant to Fed.R.Civ.P. Rule 54(b).

In support of her motion, the defendant states that a pre-trial conference was held in this case on July 13, 2017. During the conference, counsel for the plaintiffs indicated that he was considering dismissing Dr. Nadig, a first year resident at the time. On July 17, 2017, by letter, counsel for the plaintiffs alerted the Court of his decision to dismiss Dr. Nadig from the case. See Docket Entry No. 117.

Subsequently, on September 18, 2017, in a letter to the Court, the plaintiffs advised that based on further communications with their expert witness, Dr. Lessin, they were unable to provide an expert disclosure in adherence to the Court's Order to do the same in connection

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D. J. Sus